

polygraphs

OLL 84-0112  
5 January 1984

## MEMORANDUM FOR THE RECORD

FROM: [redacted]  
Legislation Division, OLL

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SUBJECT: Polygraph Legislation

1. On 19 December 1983, the undersigned and [redacted] Deputy Director, Office of Legislative Liaison, met with Rod Rahe, Legislative Director for Representative Stewart McKinney (R. Conn.), and his assistant, to discuss Representative McKinney's bill (H.R. 2403) to outlaw the use of polygraphs in private business. Mr. Rahe began the meeting by indicating that his predecessor had held a meeting with individual from the CIA to discuss CIA concerns about an identical bill that had been introduced in the previous Congress. [redacted] indicated that CIA was still concerned about Mr. McKinney's bill because the ban on the use of polygraphs in private business was so broad in scope that it would affect the Agency's Industrial Polygraph Program. [redacted] explained that the Industrial Polygraph Program involved the polygraph of key employees of Agency contractors that held Sensitive Compartmented Information (SCI) clearances and that the polygraph was limited solely to counterintelligence issues. [redacted] noted that polygraph examinations did not involve the so-called "life style" issues. It was also noted that employees of Agency contractors often have access to information of great importance to the Soviets, and that there had been cases in which employees of contractors had been convicted of espionage.

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2. Mr. Rahe indicated that Congressman McKinney did not intend for his bill to affect the Government's use of the polygraph and that any adverse effect the bill would have on the Industrial Polygraph Program was unintentional. Mr. Rahe went on to indicate that the bill was solely aimed at outlawing use of polygraphs by private employees.

3. After it became apparent that Congressman McKinney's staff did not intend for the bill to affect polygraph use by the Government, [redacted] handed Mr. Rahe draft language designed to amend the bill so that the bill would not impact on the Agency's Industrial Polygraph Program. [redacted]

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indicated that the amendatory language was a rough draft that needed some fixes, and he promised that the Agency would provide a more polished draft of the amendatory language, along with an explanatory statement of the amendment, if Congressman McKinney would be willing to amend the bill. Mr. Rahe stated that he would have to check with Congressman McKinney before making any commitments on amending the bill, but he did not see any problems at this point. Mr. Rahe promised to get back to the undersigned or  in one week with Congressman McKinney's reaction to our proposal.

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DMP:csH (5 January 1984)